

## CHAPTER 40

## ATTORNEYS' FEES IN INJUNCTION CASES

H. F. 72

AN ACT to amend sections twenty hundred twenty-three (2023), and twenty hundred twenty-three-a one (2023-a1), and to repeal section twenty hundred fifty (2050), code, 1931, and to enact a substitute therefor, relating to attorneys' fees in injunction and nuisance cases.

*Be it enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. That section twenty hundred twenty-three (2023),  
2 code, 1931, be amended by changing the period (.) at the end thereof  
3 to a comma (,) and adding thereto the following: "and paid by the  
4 defendant, and such fee is not to be paid by the county in which such  
5 action is brought."

1 SEC. 2. That section twenty hundred twenty-three-a one (2023-a1),  
2 code, 1931, be amended by inserting after the word "cause" in  
3 line nine (9) thereof, the following: ", such fee to be paid by the  
4 defendant and not to be paid by the county".

1 SEC. 3. That section twenty hundred fifty (2050), code, 1931, be  
2 repealed, and the following enacted in lieu thereof:  
3 "If a prosecution brought by a citizen fails, the costs shall be taxed  
4 to the plaintiff and in no event shall the county pay any costs or  
5 attorney fees in such prosecution."

1 SEC. 4. This act being deemed of immediate importance shall be  
2 in full force and effect after its passage and publication in the Sioux  
3 City Journal, a newspaper published at Sioux City, Iowa, and in the  
4 Evening Times, a newspaper published at Cherokee, Iowa.

House File No. 72. Approved March 20, 1933.

I hereby certify that the foregoing act was published in the Sioux City Journal March 23, 1933, and the Cherokee Daily Times March 23, 1933.

MRS. ALEX MILLER, *Secretary of State.*

Note: Cherokee Daily Times substituted for the Evening Times in accordance with section fifty-five (55), code, 1931.

## CHAPTER 41

INTOXICATING LIQUORS. REPEALING ATTORNEY'S COMMISSION  
ON FINES

H. F. 130

AN ACT to amend section twenty hundred twenty-three-a one (2023-a1), code, 1931, relating to the taxation of costs in actions and proceedings under the statutes relating to intoxicating liquors, and to the commission on fines imposed and collected under said statutes.

*Be it enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section twenty hundred twenty-three-a one (2023-a1),  
2 code, 1931, is hereby amended by striking out the last sentence  
3 thereof.